

**8 DCCE2006/3474/G - VARIATION OF CONDITION 6 OF PLANNING PERMISSION DCCE2005/1017/F GRANTING C1 USE - HOTEL USE ONLY. NOW REQUESTING BOTH HOTEL AND RESIDENTIAL USE. 1 TO 5 AYLESTONE COURT MEWS, ROCKFIELD ROAD, HEREFORD, HR1 1HS**

**For: Mrs. P. Holloway, Kingsthorpe House, Kingsthorpe, Hereford, HR2 3AY**

**Date Received: 1st November, 2006    Ward: Aylestone    Grid Ref: 51791, 40396**

**Expiry Date: 27th December, 2006**

Local Members: Councillors D.B. Wilcox and A.L. Williams

## **1. Site Description and Proposal**

- 1.1 The site is located to the east of Rockfield Road just south of the junction with the A465 (Aylestone Hill) and forms part of the curtilage of Aylestone Court Hotel which is Grade II Listed. Immediately south and east are existing residences and to the western side of Rockfield Road is Rockfield Trading Estate. The site is enclosed to the south, west and east by a 2 metre high brick wall and a yew hedge exists along the northern boundary. The site falls within Aylestone Hill Conservation Area.
- 1.2 Planning permission was approved on 1st June, 2005 for the construction of five 1-bedroom self-catering apartments. This development is now complete and some of the apartments are currently occupied. Condition 6 of the planning permission states:

*'The apartments hereby permitted shall be occupied for C1 Use in association with the Aylestone Court Hotel only and for no other purpose within Class C of the Schedule of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class and any statutory instrument revoking or re-enacting that Order with or without modification.*

*Reason: In order to clarify the terms of this permission and in the interests of highway safety.'*

Planning permission is now sought to vary Condition 6 to allow the flexibility for apartments to be occupied independently of the hotel as well as providing additional hotel accommodation.

## **2. Policies**

- 2.1 Herefordshire Unitary Development Plan (Revised Deposit Draft):

S1	-	Sustainable development
S2	-	Development requirements
S3	-	Housing

- S6 - Transport
- S7 - Natural and historic heritage
- DR1 - Design
- DR2 - Land use and activity
- DR3 - Movement
- RST12 - Visitor accommodation

### **3. Planning History**

- 3.1 CE2000/1189/F - New house. Refused 22nd August, 2000.
- 3.2 CE2001/1259/F - New house. Refused 6th July, 2001.
- 3.3 CE2004/4193/F - Construction of 6 no. 1 bedroom self-catering apartments. Application withdrawn 26th January, 2005.
- 3.4 CE2005/1017/F - Construction of 5 no. 1 bedroom self-catering apartments. Planning permission approved 1st June, 2005.

### **4. Consultation Summary**

#### Internal Council Advice

- 4.1 Traffic Manager: No objection providing parking spaces designated to these units under DCCE2005/1017/F to form part of the application and remain attached to these units.
- 4.2 Conservation Manager: This proposal will have minimal impact on the character of the Conservation Area and is therefore acceptable.

### **5. Representations**

- 5.1 Hereford City Council: Hereford City Council recommends refusal on the grounds that the proposal would be severely detrimental to the concept of the original planning permission.
- 5.2 Two letters of objection have been received from 3 Rockfield Road and Rockfield Road Businesses. The main points raised are:
  - 1. We are concerned as to where residents or visitors will park
  - 2. The hotel has difficulty catering for its own guest at the best of times with overspill when functions take place causing many problems on Rockfield Road and the Trading Estate
  - 3. How will the proposed parking and future usage be monitored and controlled
  - 4. The applicants have had little regard for the conditions of the permission with working hours being breached and deliveries continually blocking Rockfield Road
  - 5. The accommodation was advertised in the Hereford Times for rent before the change of use was applied for.
  - 6. The application was originally submitted for residential and then amended to holiday lets and staff accommodation

## 6. Officers Appraisal

- 6.1 A letter provided by the applicants agent in support of the previous planning permission for the development states the following:

'The purpose of this application is to broaden the range of accommodation offered by the hotel by the provision of 5 no. 1 bedroom self-catering apartments. The hotel often has long stay guests who because of the tenure of their stay would benefit from having a degree of independence from the hotel. This new facility would therefore offer such a provision and in doing so free up hotel bedrooms for additional short stay guests. Currently the hotel also has a need for staff accommodation and any staff staying or working overnight have no dedicated space of their own and therefore use hotel bedrooms which could otherwise be available. This new facility would also therefore provide a dedicated staff apartment for the hotel's own use.'

- 6.2 As a result of the above comment the development was approved subject to condition 6 which prevents the accommodation from being occupied other than for purposes ancillary to the hotel. The creation of additional tourist accommodation within the city is clearly welcomed. However, the site is equally as acceptable in policy terms for independent residential accommodation being located in a sustainable location, with each apartment providing low cost accommodation with dedicated off-street parking and a small area of private amenity space. Furthermore, it is not considered that there will be any additional impact on the amenity of neighbouring properties if the accommodation is occupied independently of the hotel.

- 6.3 Ultimately, the applicants request the variation rather than the removal of the condition which will enable the apartments to be occupied in association with as well as independently of the hotel. Two of the units are currently being occupied in association with the hotel. There are no Development Plan policies which specifically require tourist accommodation to be safeguarded within the city and this application would provide a degree of flexibility for the use to alternate between residential and hotel accommodation. It is acknowledged that this application may appear to represent a change of emphasis soon after the recent permission but it accords with policy and it is therefore not considered that there are any grounds to warrant refusal of the application.

## RECOMMENDATION

**That planning permission be approved subject to the following conditions:**

1. **A10 (Amendment to existing permission )**

**Reason: For the avoidance of doubt.**

2. **The apartments hereby permitted shall be occupied for C1 and C3 Use in association with Aylestone Court Hotel and for no other purpose within Class C of the Schedule of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification.**

**Reason: In order to clarify the terms of the permission and the interests of the amenity of the area.**

- 3. The five parking spaces identified within the curtilage of the hotel shall be for the sole use of the residents of the accommodation hereby permitted.

Reason: To prevent indiscriminate parking in the interests of highway safety.

**Informatives:**

- 1 N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 N19 - Avoidance of doubt.

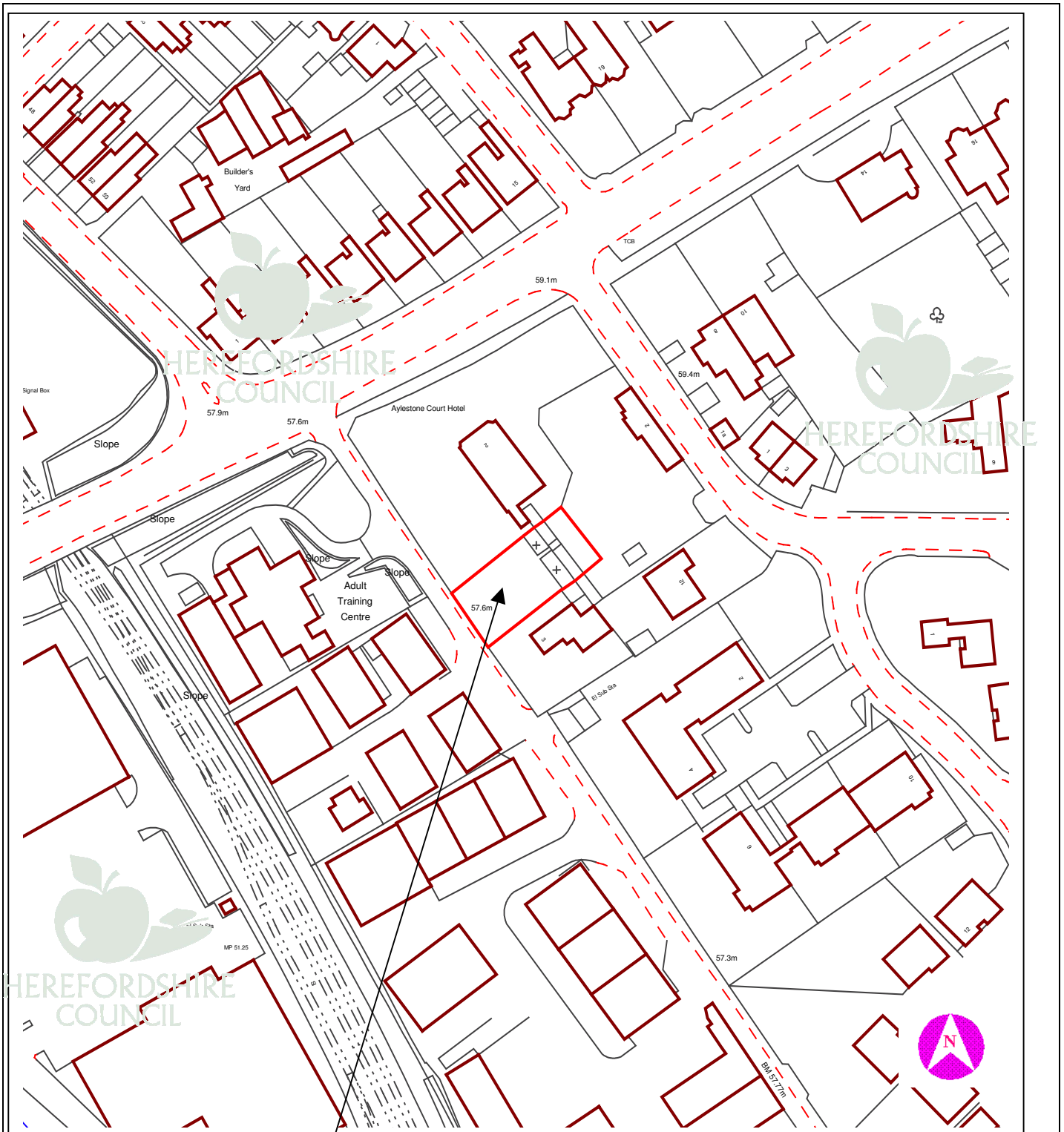
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCE2006/3474/G

**SCALE :** 1 : 1250

**SITE ADDRESS :** 1 to 5 Aylestone Court Mews, Rockfield Road, Hereford, Herefordshire, HR1 1HS

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